

EMPLOYEE CONDUCT AND WORK PROCEDURES

PERSONNEL POLICIES AND PROCEDURES

Personnel Policy Adopted by Res.: (N/A)

10.10 Vehicle Operation and Drivers' Record Checks

Personnel Procedures Approved: 5/8/2008

1. PURPOSE: To establish procedures which provide vehicles for business use, to allow employees to drive on City business, and to reimburse employees for business use of personal vehicles according to the guidelines below.
2. ORGANIZATIONS AFFECTED: All department/divisions. All Non-Uniformed City Departments. For Police and Fire, refer to Department S.O.P. and/or collective bargaining agreement.
3. REFERENCES: Not applicable.
4. PROCEDURES:
 - A. Operation Guidelines of City Vehicles. All employees who are authorized to drive a City vehicle must have a current and valid Washington State Driver's License and maintain a safe driving record that meets the minimum criteria set forth below.
 1. As a driver of a City vehicle, employees must observe all traffic laws, drive safely and defensively in the performance of their duties and maintain the security of the vehicle and its contents. Employees are also responsible for any driving infractions or fines as a result of their driving.
 2. Except where explicitly authorized by an employment contract or other written documentation, City vehicles are to be used for official City business only.
 3. Employees may not drive any vehicles for City business without prior approval of their supervisor. Employees approved to drive on City business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.
 4. Employees who require regular driving for business as an essential job function must, as a condition of employment, be able to meet the driver approval standards of these procedures at all times. For all other employees, driving is considered only a non-essential function of the position.

5. Employees who need transportation in the course of their normal work may be assigned to a City vehicle for their use. All other employees needing transportation for City business may use vehicles assigned to their department or those drawn from the motor pool. As a last alternative, when no City vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor.
 6. Non-employee and Non-business passengers are prohibited from riding in City vehicles, i.e., family and friends.
 7. Employees must report any accident, theft, or malicious damage involving a City vehicle to their supervisor and the Human Resources Department, regardless of the extent of damage or lack of injuries (See Personnel Procedures 12.2). Such reports must be made as soon as possible but no later than twenty-four (24) hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigation officers.
 8. Employees who are on call on a 24-hour basis and are allowed to take a City vehicle home so they can respond as soon as possible need to provide written acknowledgment that they fully understand that the vehicle is used only as part of emergency response. In some cases, take-home vehicles may be considered "fringe benefits" under IRS regulations and the employee may be subject to payroll taxes associated with this benefit.
 9. Employees are not permitted, under any circumstances, to operate a City vehicle, or a personal vehicle for City business, when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of injury, illness, or medication.
 10. Employees shall not operate any City vehicle at any time or operate any personal vehicle while on City business while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive. The City has a zero tolerance practice prohibiting operators of vehicles from drinking alcohol, consuming illegal drugs, and taking prescription medications that affect ability to drive, and driving. Refer to Personnel Procedures 10.6 Substance Abuse - Drug Free Workplace and Drug and Alcohol Testing.
- B. Operation of Personal Vehicle on City Business. Short, in-town use of personal vehicles may be authorized by a supervisor when a City vehicle is not available. In the event an employee drives their personal vehicle on City

business, the employee will be reimbursed at the standard mileage rate currently in effect, upon submittal of an approved travel expense voucher to the Finance Department. The mileage rate is intended to cover the cost of gasoline, vehicle maintenance and insurance. The employee should have proof of automobile insurance on file with the City, as the employee's insurance will apply to any accident occurring in a personal vehicle. When driving a personal vehicle, employees must obtain insurance from their personal insurance carrier to cover damages incurred in the event of an accident while on duty. If the employee does not carry coverage for driving their personal vehicle while on duty, the employee will be held personally responsible to pay for all damages incurred to their vehicle.

- C. Drivers' Records Checks. Employees operating a City vehicle shall at all times have a valid Washington State Driver's License. The City may verify the drivers' records of employees who are authorized to drive City vehicles for both employment related and non-employment related violations. As a condition of employment, employees shall sign an authorization form granting the City permission to check employee driving records. A failure to sign such a release may result in disciplinary action up to and including termination. Supervisors shall check employees' driver's licenses periodically for current status with the employee's consent. A photocopy of each employee's driver's license shall be filed with the Human Resources Department.

Failure to be legally authorized to operate a City vehicle may impair an employee's ability to satisfactorily perform their job. Such conditions are subject to the review of the appropriate supervisors and management, and any corrective actions or dismissal will follow existing disciplinary guidelines.

- D. Driving Violations.

1. Definitions. For the purposes of these Procedures, the following definitions apply:
 - a. "Type A Violations" are serious criminal traffic offenses, which could result in the revocation of the employee's driver's license. Conviction of a Type A violation normally results in revocation of an employee's authorization to drive a City vehicle while the conviction is on the employee's driving record. These include:
 - Driving while intoxicated;
 - b. Driving under the influence of drugs;
 - c. Negligent homicide or personal injury arising out of the use of a motor vehicle (gross negligence);
 - d. Operating a motor vehicle during a period of license suspension or revocation;

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- e. Aggravated assault with a motor vehicle;
 - f. Reckless driving;
 - g. Hit and run - attended vehicle;
 - h. Driving without insurance as a result of a previously suspended license;
 - i. Vehicular assault;
 - a. "Type B Violations" are all moving violations not listed as Type A Violations.
 - b. "Accident" means an occurrence resulting in bodily injury, death or property damage that was found to be preventable by the Accident Review Board.
2. Violations categorized as "Type A" Violations (whether on-duty or off-duty, in a City vehicle or non-City vehicle) may result in the employee being prohibited from driving City vehicles or vehicles on behalf of the City. If the violation occurred on duty, disciplinary action may result.

Accidents and violations categorized as "Type B Violations" may also subject the employee to suspension from driving City vehicles or vehicles on behalf of the City (whether the violation or accident occurred on-duty or off-duty) and discipline (if the violation or accident occurs on-duty), based upon a review of the frequency, severity, circumstances, past driving record and employment history.

For employees required to drive as a condition of employment, violations or accidents which result in the prohibition from driving a City vehicle or vehicle on behalf of the City may result in the employee's inability to perform one of the essential functions of his/her job, which in turn, may result in discipline, up to and including termination.

For accidents or violations involving the employee's use of drugs and/or alcohol, refer also to Personnel Procedures 10.6 Substance Abuse - Drug Free Workplace and Drug and Alcohol Testing.

- E. Employee Responsibilities. Employees who are authorized to drive a City vehicle must notify their supervisors immediately, in the event they:
- 1. Have their drivers' license revoked or suspended;
 - 2. Receive a citation for any moving violation while driving a City vehicle;

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3. Receive one citation for a Type A violation or two citations within three years for Type B violations or accidents, whether on- or off-duty.

Failure to notify the supervisor in writing as required by this section is grounds for discipline.